

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	03-5269/CIP
	First Inventor	Thomas R. Briscoe, et al.
	Title	Pressure Vent Hurricane S
	Express Mail Label No.	EU610601496US

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.	<b>ADDRESS TO:</b> Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
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<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages <u>30</u>] (preferred arrangement set forth below) - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R &amp; D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>8</u>]</p> <p>5. Oath or Declaration [Total Sheets <u>      </u>] a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed) i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>	<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies</p>
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<b>ACCOMPANYING APPLICATION PARTS</b>	
9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	
10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee)	<input checked="" type="checkbox"/> Power of Attorney
11. <input type="checkbox"/> English Translation Document (if applicable)	
12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations
13. <input type="checkbox"/> Preliminary Amendment	
14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)	
15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	
16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.	
17. <input type="checkbox"/> Other: .....	

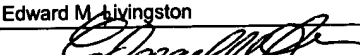
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation    ☐ Divisional    ☒ Continuation-in-part (CIP)    of prior application No.: 09/966622.....

Prior application information:    Examiner David M. Puroil    Art Unit: 3634

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

<b>19. CORRESPONDENCE ADDRESS</b>					
<input type="checkbox"/> Customer Number: .....			OR <input checked="" type="checkbox"/> Correspondence address below		
Name	Edward M. Livingston, P.A.				
Address	963 Trail Terrace Drive				
City	Naples	State	FL	Zip Code	34103
Country		Telephone		Fax	

Name (Print/Type)	Edward M. Livingston	Registration No. (Attorney/Agent)	28,523
Signature		Date	8/25/03

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

22389 U.S. PTO  
10/647673  
08/25/03

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 438.00)

## Complete if Known

Application Number	09/966,622 filed on 10/01/2001
Filing Date	
First Named Inventor	Thomas R. Briscoe et al.
Examiner Name	David M. Purol
Art Unit	3634
Attorney Docket No.	03-5269

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account:
 Deposit  
Account  
Number  
Deposit  
Account  
Name

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	375.00
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 375.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent	27	-20** =	7	X	9	=	63
Multiple Dependent	3	-3** =	0	X	0	=	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 63.00)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity | Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0.00)

## SUBMITTED BY

Name (Print/Type)	Edward M. Livingston	Registration No. (Attorney/Agent)	28,523	Telephone	239-262-8502
Signature		Date	8/25/03		

WARNING: Information in this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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963 TRAIL TERRACE DRIVE  
NAPLES, FLORIDA 34103

MERRILL N. JOHNSON, ESQ.  
EDWARD M. LIVINGSTON, P.A.

OFFICE: 239-262-8502  
800-548-4332  
FAX: 239-261-3773

August 25, 2003

Re: Applicant: Thomas R. Briscoe and Harley E. Briscoe  
Application No.: 09/966,622  
Filing Date: 10/15/2002  
Examining Attorney: David M. Purol  
Art Unit: 3634  
Atty. Doc. No.: 03-5269

EU 610601496 US

Dear Sir:

With regard to the above captioned matter, please find enclosed herewith the following:

1. Utility Patent Application Transmittal;
2. Continuation-In-Part Application;
3. Combined Declaration and Power of Attorney;
4. True and correct copy of original patent application and drawings;
5. Fee Transmittal Form; and
6. A check in the sum of \$438.00 to cover the filing fees for the above.

Please stamp the enclosed postcard acknowledging receipt of the above and return it to our office.

Should you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,



Edward M. Livingston  
Pat. Atty. Reg. No. 28,523


EML:amv

Enclosures: Listed above  
Postcard

pc: Applicant (w/ encs.)

CERTIFICATE OF MAILING BY "EXPRESS MAIL"  
UNDER 37 C.F.R. 1.10

I HEREBY CERTIFY that this letter of transmittal and documents described therein are being deposited with the United States Postal Service by "Express Mail Post Office to Addressee" service, U.S. Express Mail No. EU610601496US, on the 25<sup>th</sup> day of August, 2003, addressed to Mail Stop CIP, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Legal Assistant

14230 U.S. PRO  
08/25/03

**UNITED STATES COMMISSIONER OF PATENTS AND TRADEMARKS**

IN RE:      Application of      :      Thomas R. Briscoe and Harley E. Briscoe  
                 CIP of App. No.    :      09/966,622 filed on 10/01/2001  
                 For                        :      Pressure Vent Hurricane Shutters  
                 Atty. Doc. No.        :      02-5260/CIP

Examiner: David M. Purol  
Art Unit: 3634

BOX CIP  
COMMISSIONER OF PATENTS AND TRADEMARKS  
WASHINGTON, DC 20231

**CONTINUATION-IN-PART APPLICATION (CIP)**

Dear Sir:

This is a request for filing a Continuation-in-Part Application under 37 *CFR* 1.60, for prior application Serial No.: 09/966,622, filed on October 1, 2001, entitled "PRESSURE VENT HURRICANE SHUTTERS," as amended by the following named inventors:

THOMAS R. BRISCOE  
2841 Shoreview Drive  
Naples, Florida 34112

HARLEY E. BRISCOE  
2841 Shoreview Drive  
Naples, Florida 34112

Citizenship:      United States of America

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination proceedings has occurred. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

Applicant further states:

1. A Preliminary Amendment Accompanying Continuation-in-Part (CIP) is being filed simultaneously herewith and is attached to this CIP and incorporated herein by reference.

2. The filing fee accompanying this application is calculated as follows:

Basic Fee	\$375.00
Additional fees:	
Total no. of claims in excess of 20, @ \$9.00/each: (7)	63.00
Number of Independent claims in excess of 3, @ \$42.00/each: (0)	0.00
Multiple Dependent claims @ \$140.00/each: (0)	<u>0.00</u>
TOTAL FILING FEE	\$438.00

A check in the amount of \$438.00 is enclosed to cover the above filing fee.

3. Please amend the specification by inserting before the first paragraph the following:

#### CROSS-REFERENCE TO RELATED APPLICATION

This is a continuation of application number 09/966,622, filed October 1, 2001, now abandoned.

4. The Statement Claiming Small Entity Status is still applicable.


5. Another "Combined Declaration and Power of Attorney" for this continuation-in-part application is enclosed and the power of attorney remains the same as in the prior application granted to Edward M. Livingston, Esq., Patent

Attorney Reg. No. 28,523 and further includes Angela M. Villanueva, No. 53,724.

Please address all future communications to:

Edward M. Livingston, P.A.  
963 Trail Terrace Drive  
Naples, FL 34103


Respectfully submitted,  
Thomas R. Briscoe, Applicant  
Harley E. Briscoe, Applicant

By:   
Edward M. Livingston, Esq.  
Edward M. Livingston, P.A.  
963 Trail Terrace Drive  
Naples, FL 34103  
(239) 262-8502

Attorney for Inventor/Applicant  
Patent Attorney Reg. No.: 28,523

**CERTIFICATE OF MAILING by "EXPRESS MAIL" UNDER 37 CFR 1.10**

I HEREBY CERTIFY that the above Continuation-in-Part Application is being deposited with the United States Postal Service by "Express Mail Post Office to Addressee" service, U.S. Express Mail No. EU6106049US on the 25 day of August, 2003, addressed to Mail Stop CIP, Commissioner of Patents P.O. Box 1450, Alexandria, VA 22313-1450.

  
Legal Assistant